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NEW YORK STATE LOCAL HISTORY  
VILLAGE RECORDS

PREPARED BY THE DIVISION OF ARCHIVES AND HISTORY

THE RECORDS OF BALLSTON SPA, SARATOGA  
COUNTY

ALBANY  
THE UNIVERSITY OF THE STATE OF NEW YORK

1921

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TRUSTEES' ROOMS

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## PREFACE

The public records section of the Division of Archives and History presents this as the first of a series of studies in the village records of New York State. It is the intention of this Division to publish similar studies from time to time and to enlist the services of the local historians and village clerks in the work.

The incorporated villages of the State at present range in size from the little village of Saddle Rock, Nassau county, with its reported population of 71, to the very large village of Port Chester, in Westchester county, with its 15,129 inhabitants. For this first study the village of Ballston Spa was chosen because it is one of the oldest incorporated villages in the State, and unlike many of those on the list it has preserved its records almost complete, these never having suffered from the ravages of fire or flood, or from official carelessness.

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## INTRODUCTION

The village of Ballston Spa is situated on the dividing line between the towns of Milton and Ballston, in Saratoga county, N. Y., the northern and larger part of the village being included in the town of Milton and the southern part being within the town of Ballston. Both towns are located in what was formerly known as the great Kayaderosseras patent, a large tract of land on both sides of the Kayaderosseras creek, which comprised almost all of the present county of Saratoga, but which originally formed part of Albany county. The first purchase of land from the Indians in any part of this territory was made on August 26, 1702, by two Albanians, Robert Livingston jr and David Schuyler, who obtained a deed for a tract of land to the north of the Saratoga patent, up to the Little Carrying-place and running back into the woods as far as the Indian property extended. The following year, Sampson Shelton Broughton, then attorney general of the province of New York, in behalf of himself and others, petitioned the Governor, Lord Cornbury, for a license to purchase land "known by the Indian name of Kayarossos, adjoining to the north bounds of Schenectady, on the east side thereof, to the west bounds of Saratoga, on the north side thereof, and to Albany river on the west side thereof." The license was granted and the purchase made, but owing to Broughton's death, a caveat entered by Livingston and Schuyler and other complications, the issue of the formal patent was delayed until October 26, 1708. When issued the grant provided that a settlement should be made within seven years after the date of the patent, but no attempt at settlement was made within that time. In 1732 the patentees petitioned to have the tract surveyed, but for various reasons action was postponed. In 1764 permits were issued to settlers to occupy portions of the patent. This aroused the Indians, who until then had been left in peaceful possession of the land and who claimed that they had never intended to sell the entire tract. They appealed for protection to Sir William Johnson, who sought to have the patent vacated on account of fraud. The patentees thereupon decided to come to an arrangement with the Indians. They authorized the Governor, Sir Henry Moore, to act on their behalf and in 1768 the patent was surveyed and a settlement effected whereby the proprietors gave up a large tract of the land in the northwest of the patent and paid the Indians \$5000 in full of all their claims.



The patent was now open for settlement and soon the first settlers began to arrive. In making the survey, the commissioners had set apart for their own use and behalf, to "defray the expenses" of the survey, a tract 5 miles square, together with 5000 acres, now constituting the south part of Charlton. The first tract, known on the maps as the "Five-mile Square," with a small addition at the southern extremity, comprises the present town of Ballston, so named for the Rev. Eliphalet Ball, one of the first settlers, who, with his three sons and a band of settlers came thither in 1770 from Bedford, Westchester county, N. Y.

Up to this time there had been no local government in the section where the present village of Ballston Spa is situated other than that of Albany county, to which the "Five-mile Square" belonged. By an act of the colonial legislature, entitled "An Act to divide the Counties of Albany and Tryon into Districts," passed on March 24, 1772, Albany county was divided into fifteen districts, of which Saratoga was one. By the provisions of this act the freeholders and inhabitants of every district were required and authorized yearly, upon the first Tuesday in May, to elect and appoint one supervisor, two assessors, one collector, two overseers of the poor, two constables, two fence-viewers and one clerk. By a subsequent act, passed on April 1, 1775, the district of Saratoga was divided into two districts, the district of Saratoga to "be henceforth limited on the West by the East Side of Ball Town and a North Line to the Northern Bounds of the County of Albany, and a South Line to Half Moon District," the residue of the lands to "be henceforth one separate District, distinguished by the Name of the District of Balls Town." The same act provided that the freeholders of the newly created districts were required annually on the first Tuesday of May to elect the like district officers as were chosen in the several districts under the act of March 24, 1772.

The district of Balls Town continued till March 7, 1788, when by legislative enactment the counties then existing were divided into towns, thus establishing the town of Ballston.

The records of the district and of the town of Ballston are preserved in the office of the town clerk. The former are incomplete. The records from 1775 to 1779 are missing. They begin with 1779 and close with 1788, but there are no district records for 1781-83. As far as known, the records of the town are in existence from 1788 to the present time. From the town of Ballston as the "mother town," were derived most of the townships of the county. Milton, Charlton and Galway were all taken off by legislative enactment

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INTERIOR OF THE TRUSTEES ROOMS  
(Showing safe and vault)



March 7, 1792. Providence was formed from Galway February 5, 1796, Edinburgh (as Northfield) was taken from Providence March 13, 1801, a part of Greenfield was cut off from Milton March 12, 1793, and the balance taken from Saratoga. Hadley was formed from Greenfield and Northumberland February 27, 1801, Corinth from Hadley, April 20, 1818, and Day (as Concord) from Edinburgh and Hadley April 17, 1819.

As stated at the beginning of this bulletin, the village of Ballston Spa is situated partly in the town of Milton, and partly in the town of Ballston. The records of Milton are complete from December 15, 1799 to September 27, 1867. Then unfortunately the minute or record books are missing up to March 1899, since which time they are complete. The local historian explains that the town of Milton is not named from the great English poet, but on account of the many mills it originally had it was called "Mill-Town," then later on the name became shortened, the extra "l" and "w" were dropped and thenceforward it was known as "Milton."

#### VILLAGE OF BALLSTON SPA, 1807-1919

The village of Ballston Spa was originally incorporated by chapter 55 of the Laws of 1807, approved March 21st of that year. This was amended and "revived" by chapter 62 of the Laws of 1822, passed March 15th. In these days of centralization of power it is interesting to note that one of the amendments read "that no tax shall be assessed by the trustees of said village, without the consent of the inhabitants of said village, in open legal meeting, by a majority present expressed." This charter was again amended by chapter 199 of the Laws of 1842, passed April 11th. By this amendment the village which had theretofore had but three trustees all equal in authority, was given five trustees, one of whom was to be selected by his associates as the village president. A hook and ladder company was also authorized, together with a chief and assistant engineer of the fire department, and also a poundkeeper.

The old charter having become obsolete in some respects, an "Act to amend and Consolidate the several acts relative to the Village of Ballston Spa," was passed April 12, 1855, as chapter 356 of the laws of that year. This charter was to serve the needs and wants of the village for many years to come. All these acts provided specifically and specially for the care and protection of the mineral springs of the village.

In 1870 the State Legislature passed a new and revised act for the general government of village communities, known as chapter



291 of the laws of that year. The inhabitants of Ballston Spa, however, were so well pleased with the operation of their old charter, that at meetings held March 19, 1877, and February 23, 1879, the proposition to reincorporate under the act of 1870, was decisively defeated. Finally at a meeting held March 16, 1885, the question was again brought up, and this time it was voted, 318 to 134, to reincorporate under the law of 1870. At this time the office of village president was made elective by the people instead of by the village board. In 1897 the village law was entirely revised and partly rewritten, and Ballston Spa of course came under its provisions. At this time a change in the number of trustees was made from five to six, three to be chosen biennially. Twelve years later in the revision of the general laws the village law was again generally revised, and recodified, and is now chapter 64 of the Consolidated Laws of the State, in effect since February 17, 1909, and is the one under which the village is now operating. In 1904 the village clerk and street commissioner were made elective instead of appointive officers.

The village has its own rooms located in "the Municipal Building" on Front street, a good brick and frame structure. The front part of the room is used by the village public library. At the rear, well arranged and fitted up, is the trustees' room. The records are kept in a good fireproof safe, secured in 1917. Excellent use has been made of the fact that the room was once a market, with a smoke-house in the rear. The latter had very thick walls, and has been converted into an ample and suitable fireproof vault for the storage of village records and papers. The books and records are well kept, and are in fine condition, with but trifling, almost negligible exceptions. The special value of these records, especially the minutes, is the fact of their practical completeness for the entire existence of the village. Beginning with 1807, the minutes are complete to the present day.

As stated, the village is located in the extreme southeastern part of the town of Milton, and is also in a part of the town of Ballston. In policing the village this leads to an anomalous condition at times, as persons arrested in that portion of the village which is in the town of Milton are taken before a police justice, which officer was established in 1863, by statute, and is elected every two years, while those arrested across the line in that part of the village which is in Ballston town, are taken before a justice of the peace. The dockets of these officers are kept in the offices of the town clerk of the respective towns.



## INVENTORY

## Public Records of Ballston Spa, N. Y.

*A Records in the Office of the Village Clerk*

Minutes or Proceedings of the Board of Trustees, 1807-date. 8 vols.

1	March 21, 1807 — March 27, 1852.....	352	pages
2	March 31, 1852 — May 17, 1869.....	about	500 "
3	May 17, 1869 — March 25, 1884.....	710	"
4	March 25, 1884 — March 21, 1893.....	688	"
5	March 24, 1893 — March 9, 1900.....	618	"
6	March 20, 1900 — March 4, 1907.....	651	"
7	March 19, 1907 — March 17, 1914.....	736	"
8	March 23, 1914 — date (Dec. 26, 1919).....	487	"

Minutes of the Board of Health, 1915-date. 1 vol.

Volume contains minutes from April 27, 1915 to November 25, 1919, 34 pages. No regular minutes were kept before 1915. Title on back reads: "Records of the Board of Health, 1915 to date."

## Minutes of Street, Water and Fire Commissions.

No separate records are kept. Work is done by committees of the board of trustees and the proceedings are entered in the minutes of the board as committee reports.

## Minutes of the Cemetery Board.

The village of Ballston Spa has no such board, the cemetery being controlled by a private corporation.

## Minutes of Light Commission.

Village has no such commission, light being furnished by contract with a private corporation. The proceedings of the light committee of the board of trustees are included in the minutes of the board.

## Records of Pound Master (Estrays). None found.

## Records of the Fire Department, 1909-date. 1 vol.

This is a list of members of the fire department arranged in the order of the companies to which they belong, namely: Eagle Fire Company, No. 1, organized August 15, 1818; Union Fire Company, No. 2, organized September 25, 1855; and the Matt Lee Hook and Ladder Company, organized July 11, 1868.

For about 50 years prior to 1909 the names of the firemen were kept on loose slips. Part of these are kept in a wooden cabinet in the village clerk's office and the rest are packed in a box which is kept in the vault.

Each company as a unit has its separate organization and keeps its own minutes of its meetings. The local fire department was organized as a corporation under Article 8 of the village law, with its officers and members known as fire wardens. Records of all official meetings are kept by the secretary of the board, which is known as the council of the fire department. Each year the delegates from the three companies meet and select a chief engineer of the fire department and assistants, thereafter filing their selection with the board of trustees for their approval or rejection, which action is thereupon entered in the trustees' minutes.



BALLSTON SPA NATIONAL BANK  
OFFICE OF THE VILLAGE TREASURER



Sewer Permits, 1910-1916 (Stub book).

Y Book, Ballston Spa, N. Y.

Narrow folio volume, arranged by streets, showing sewer connections.

Records of Village Planning Commission. None.

Maps	{	Streets	}	About 25 in all.
		Water, 1916		
		Sewer, 1900		
		Lights Private Corporation		
		Parks		
		Village Map, 1904		

A great many of the older maps of the village were destroyed in a fire in the old opera house block, about 1900, where the village clerk of that day had his office.

*B Records in the Office of the Village Treasurer in the Ballston Spa National Bank*

Treasurer's Accounts, 1850-date.

Present book runs from March 1, 1917 to date. Earlier books cover about five or six years each and are kept in the basement of the bank.

Bond records:	Sewer,	1899	\$157,000
	Water,	1905	67,500
	Highway,	1916	1,000

